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Attorneys for Defendants

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IN THE UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF UTAH, CENTRAL DIVISION

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JAMES ARNETT,

Plaintiff,

v.

BENJAMIN SNOW HOWARD;  
LIFELINE MEDIA LLC, a Texas  
entity; NATIONWIDE AFFORDABLE  
HOUSNG, a Texas corporation; and the  
BEN HOWARD TRUST, and Idaho  
trust,

Defendants.

**NOTICE TO SUBMIT FOR  
DECISION  
(Oral Argument Requested)**

Judge Ted Stewart

Case No.: 2:13-cv-00591-TS

Defendants hereby give notice that Defendants' Motion to Dismiss Plaintiff's First Amended Complaint for Failure to State a Claim (Document 59) is ready for decision.

Defendants filed their Motion on August 6, 2013. Plaintiff filed a Memorandum in Opposition to Motion to Dismiss on August 22, 2013. (Document 63) Defendants filed a Reply in Support of

Defendants' Motion to Dismiss Plaintiff's First Amended Complaint for Failure to State a Claim (Document 67) on September 5, 2013. Accordingly the Motion is now ready for decision. Defendant hereby respectfully requests a hearing on the Motion.

DATED and electronically signed this 5th day of September, 2013.

/s/ Bryan J. Stoddard  
TYCKSEN & SHATTUCK  
Attorney for Defendants

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing **NOTICE TO SUBMIT FOR DECISION** was sent to the following persons by the following means:

|  |                  |
|--|------------------|
| James Arnett<br>9288 N. Monmouth Court<br>Tucson, AZ 85742 | <b>U.S. Mail</b> |
|--|------------------|

On this 5th day of September, 2013.

/s/ Alicia Riggs